

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 6, 2024

Lyle W. Cayce  
Clerk

---

No. 23-11036

---

AIDAN BEVACQUA; AMY MARCIN; KYLE WALTON, *individually and  
on behalf of others similarly situated*; DANIEL MARCIN,

*Plaintiffs—Appellants,*

*versus*

SOUTHWEST AIRLINES COMPANY, *a Texas Corporation,*

*Defendant—Appellee.*

---

Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:22-CV-1837

---

Before JONES, SMITH, and HO, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and the briefs on  
file.

IT IS ORDERED and ADJUDGED that the judgment of the  
District Court is AFFIRMED.

IT IS FURTHER ORDERED that appellants pay to appellee the  
costs on appeal to be taxed by the Clerk of this Court.

The judgment or mandate of this court shall issue 7 days after the time to file a petition for rehearing expires, or 7 days after entry of an order denying a timely petition for panel rehearing, petition for rehearing en banc, or motion for stay of mandate, whichever is later. See Fed. R. App. P. 41(b). The court may shorten or extend the time by order. See 5th Cir. R. 41 I.O.P.



Certified as a true copy and issued  
as the mandate on Aug 29, 2024

Attest: *Lytle W. Cuyler*  
Clerk, U.S. Court of Appeals, Fifth Circuit

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 29, 2024

Ms. Karen S. Mitchell  
Northern District of Texas, Dallas  
United States District Court  
1100 Commerce Street  
Earle Cabell Federal Building  
Room 1452  
Dallas, TX 75242

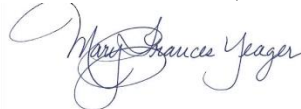
No. 23-11036 Bevacqua v. Southwest Airlines Company  
USDC No. 3:22-CV-1837

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Mary Frances Yeager, Deputy Clerk  
504-310-7686

cc: Mr. Stephen T. Blackburn  
Mr. Daniel B. Edelman  
Mr. Byron Goldstein  
Mr. James Kan  
Mr. James Vincent Leito  
Mr. Peter B. Siegal  
Mr. Michael Alan Swartzendruber